

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, ET AL.;

Plaintiffs,

v.

UNITED STATES OF AMERICA, ET AL.;

Defendants,

and

KARLA PEREZ, ET AL.;

STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

**ORDER GRANTING PLAINTIFF STATES’
MOTION FOR SUMMARY JUDGMENT**

This matter came before the Court on Plaintiff States’ Motion for Summary Judgment on Counts I, II, and III of their First Amended Complaint (ECF No. 104). After reviewing the briefing on the matter, the evidence properly offered in support of Plaintiff States’ Motion for Summary Judgment, and all other matters properly before the Court, the Court finds that there are no genuine issues of material fact and that Plaintiff States are entitled to judgment as a matter of law.

The Court concludes that the Deferred Action for Childhood Arrivals (“DACA”) program violates both procedural and substantive requirements of the

Administrative Procedure Act, 5 U.S.C. §§ 553, 706, as well as the Take Care Clause of the United States Constitution, U.S. Const. art. II, § 3.

Accordingly, **IT IS HEREBY ORDERED, ADJUDGED, and DECREED** that that Plaintiff States' Motion for Summary Judgment is granted and the 2012 memorandum that created the DACA program is set aside.

SO ORDERED on this ____ day of _____, 2019.

Andrew S. Hanen,
U.S. District Court Judge